IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 14137 of 2005

Between:

Nizamabad Motor Driving School LMV School, Quila Road, Nizamabad,
Rep. by its Licensee Mir Kazim Ali,S/o. Mir Mahmood Ali, R/o. Quilla road,
Nizamabad.

..... PETITIONER

AND

The Deputy Transport Commissioner and Secretary, Regional Transport Authority,
Nizamabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue any appropriate Writ, order or direction more in the nature of Mandamus directing the respondent herein to consider and dispose the representation dt. 3.3.2005 filed for renewal of Driving School license and also for replacement of LMV which is being used for driving School purpose within 2 weeks from the date of the copy of the order by duly declaring the inaction of the Respondent herein in not disposing the representation dt. 3.3.2005 filed for renewal of Driving school license and also for replacement of LMV is nothing but arbitrary, illegal and unjustified and also contrary to the provisions of Motor Vehicles Act as well as the Central Motor Vehicle Rules 1989.

Counsel for the Petitioner: MR.V.RAVI KIRAN RAO

Counsel for the Respondent: GP FOR TRANSPORT

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the respondent in passing any orders on the application made by him for renewal of Driving School Licence and also for replacement of LMV used for Driving School.

It is stated that the petitioner was granted Driving School Licence valid upto 16.05.2005. As the validity of the licence was expiring, he made an application on 03.03.2005 by paying requisite fee for renewal. As the respondent has not passed any orders so far and as the validity of the licence already expired, the petitioner has come up with the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

As the renewal application has already been made by the petitioner, it is for the respondent to pass appropriate orders either granting or rejecting and if there are any deficiencies, he can return the same to the petitioner for compliance, but he is not expected to keep the renewal application pending.

The writ petition is therefore disposed of directing the respondent to pass appropriate orders on the renewal application of the petitioner dated 03.03.2005 within a period of two weeks from the date of receipt of a copy of this order. No costs.

01.07.2005

Note: Issue CC in three days.

(b/o)

VGB

To

1. The Deputy Transport Commissioner and Secretary, Regional Transport Authority, Nizamabad.

2. 2CCs to the Government Pleader for Transport, High Court Buildings, Hyderabad. (OUT)

3. 2CD copies.